

U.S. Army Corps
of Engineers

Public Notice

In Reply to Application Number
CENAB-OP-RMN(COLUMBIA REALTY VENTURE LLC/
DREDGING)2007-08040-M18

PN08-11

Comment Period: March 3, 2008 to April 3, 2008

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899, as described below:

APPLICANT: *Columbia Realty Venture LLC*
5301 Wisconsin Avenue, N.W., Suite 600
Washington, DC 20015

LOCATION: In the waters of Back Creek in the City of Annapolis, Anne Arundel County, Maryland

WORK: To provide maintenance dredging in six areas as elaborated below and depicted on the attached plans. Area 1 - Would be dredged to a depth of -6.0 feet below mean low water (MLW) around Pier A and adjacent bulkhead slips where 293 cubic yards of spoil would be removed from a 2,677 square foot area. Area 2 - Would be dredged to a depth of -7.0 feet below MLW around Pier B where 1,750 cubic yards of spoil would be removed from a 15,020 square foot area. Areas 3 through 6 - Would be dredged to a depth of -7.0 feet below MLW around existing piers and bulkhead slips where 8,000 cubic yards of spoil would be removed from a 68,356 square foot area. Completion of the proposed dredging would result in the removal of 10,043 cubic yards of spoil within an area of 86,053 square feet (1.98 acres) from the waters of Back Creek. Spoil from all areas would be barged to and deposited at the Pasadena Boatel Spoils Site. The purpose of the proposed work is to improve navigable access to existing piers. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact *Mr. Richard Kibby at 410.962.0694*.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH).

The project site lies in or adjacent to EFH as described under MSFCMA for Scopthalmus aquosus (windowpane flounder) juvenile and adult; Pomatomus saltatrix (blue fish) juvenile and adult; Paralichthys dentatus (summer flounder) juvenile and adult; and eggs, larvae, juvenile, and adult stages of Sciaenops ocellatus (red drum), Scomberomorus cavalla (king mackerel), Scomberomorus maculatus (spanish mackerel), and Rachycentron canadum (cobia), all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by loss of nursery, forage and/or shelter habitat. The project may have an adverse effect on Essential Fish Habitat as described under the Magnuson-Stevens Fishery Conservation and Management Act for the species and life stages identified above. However, the District Engineer has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials: Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers,

Baltimore District, PO Box 1715, Baltimore, Maryland 21230-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The 401 certifying agency has a statutory limit of one year to make its decision. The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination. The applicant must obtain any State or local government permits, which may be required.


A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicated the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:


for VANCE G. HOBBS
Chief, Maryland Section Northern

APPLICANT:
COLUMBIA REALTY VENTURE, LLC
5301 WISCONSIN AVE. NW, SUITE 600
WASHINGTON, DC 20015-2015

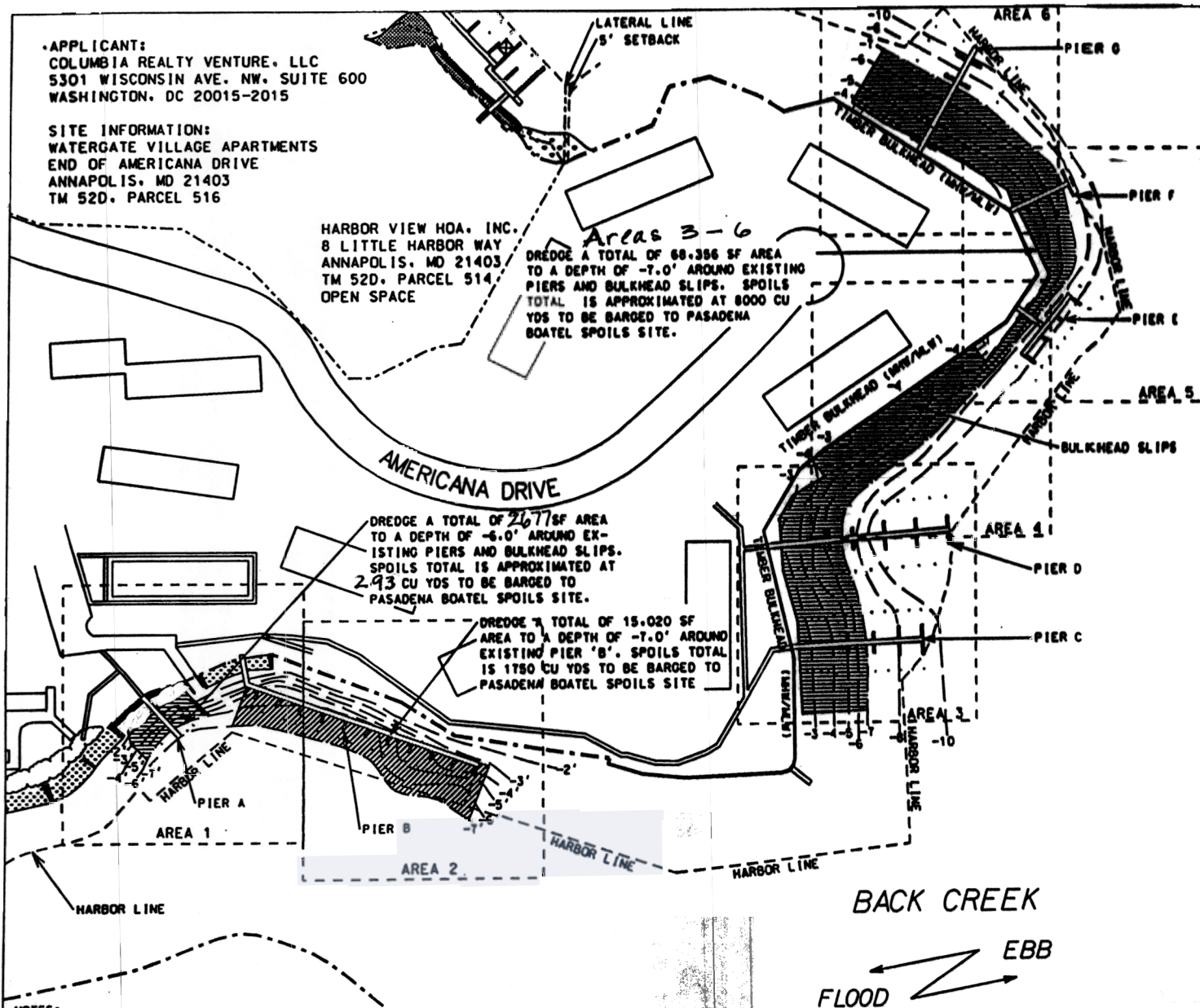
SITE INFORMATION:
WATERGATE VILLAGE APARTMENTS
END OF AMERICANA DRIVE
ANNAPOLIS, MD 21403
TM 52D, PARCEL 516

HARBOR VIEW HOA, INC.
8 LITTLE HARBOR WAY
ANNAPOLIS, MD 21403
TM 52D, PARCEL 514
OPEN SPACE

AREAS 3-6
DREDGE A TOTAL OF 68,356 SF AREA
TO A DEPTH OF -7.0' AROUND EXISTING
PIERS AND BULKHEAD SLIPS. SPOILS
TOTAL IS APPROXIMATED AT 8000 CU
YDS TO BE BARGED TO PASADENA
BOATEL SPOILS SITE.

DREDGE A TOTAL OF 26,778 SF AREA
TO A DEPTH OF -6.0' AROUND EX-
ISTING PIERS AND BULKHEAD SLIPS.
SPOILS TOTAL IS APPROXIMATED AT
2,93 CU YDS TO BE BARGED TO
PASADENA BOATEL SPOILS SITE.

DREDGE A TOTAL OF 15,020 SF
AREA TO A DEPTH OF -7.0' AROUND
EXISTING PIER 'B'. SPOILS TOTAL
IS 1750 CU YDS TO BE BARGED TO
PASADENA BOATEL SPOILS SITE



NOTES:

1. HOMEOWNER/CONTRACTOR IS RESPONSIBLE FOR EXACT LOCATION OF ANY STRUCTURES IN RELATION WITH PROPERTY LINES. NEIGHBORING STRUCTURES OR ANY STRUCTURES SHOWN ARE NOT TO BE USED TO LOCATE NEW STRUCTURES.

2. UPON COMPLETION, PROPERTY OWNER IS FULLY RESPONSIBLE FOR CLOSEOUT OF ALL PERMITS. IN ADDITION, TPC, INC. ASSUMES NO RESPONSIBILITY FOR ANY DEVIATION FROM PLANS THAT ARE APPROVED UNDER THESE PERMITS.

3. PROPERTY LINES SHOWN HEREON HAVE BEEN TAKEN FROM FIELD EVIDENCE, AND/OR AVAILABLE DEEDS AND PLATS AND SHOULD NOT BE CONSTRUED TO BE REPRESENTATIVE OF THE ACCURACY OF A BOUNDARY SURVEY. THIS IS NOT A BOUNDARY SURVEY! THIS SITE PLAN WAS DEVELOPED WITHOUT THE BENEFIT OF A TITLE SEARCH AND MAY NOT REFLECT ENCUMBRANCES, DEDICATIONS, AND/OR RESTRICTIONS WHICH MAY EXIST AND COULD POTENTIALLY BE REVEALED THROUGH A THOROUGH TITLE EXAMINATION.

4. A BATHOMETRIC SURVEY WAS CONDUCTED ON 8/24/07 AT +0.0' ABOVE M.W. TIDE AT 10:45. THE SURVEY ALSO REVEALED NO EVIDENCE OF SAVS IN THE IMMEDIATE AREAS OF THE PROPOSED DREDGING.

BACK CREEK
EBB
FLOOD

SEVERN HOUSE CONDO ASSOC.
790 FAIRVIEW AVE.
ANNAPOLIS, MD 21403
TM 52G, PARCEL 209

RECEIVED

Tax Account No.:
6000-0155-7519
Tax Map: 8Z
Parcel: 516
Deed Ref: 9596/287
Lot: N/A
Zoning: COMM.
Lot Size: 31.158 AC.

OVERALL SITE PLAN
SCALE - 1" = 200'

The Permit Coordinators, Inc.
8371 B & A Blvd.
Pasadena, MD 21122
(410) 315-7835
(410) 315-7832 Fax

PROPOSED:
To dredge.

FEB 14 2008

in: Back Creek
co: Anne Arundel
Application by: Columbia Realty Venture, LLC
Sheet 1 of 15 Date: 8/20/2007

WATER MANAGEMENT ADMIN
State: Maryland
REGULATORY SERVICES COORD
at: Annapolis

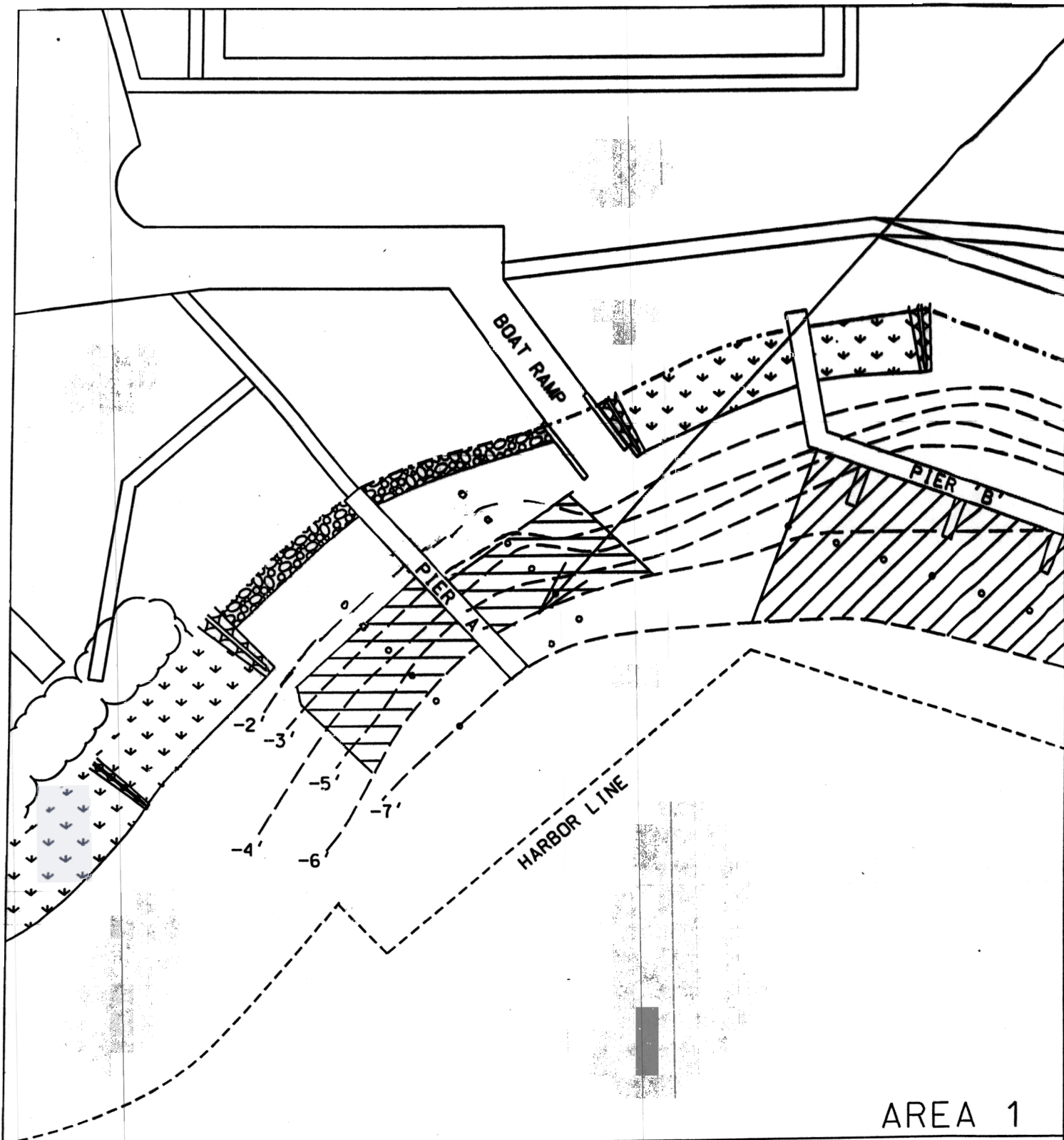
NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.

Applicant's Signature:

REVISED 12/6/2007

REVISED

2/7/08



AREA 1

Tax Account No.:
6000-0155-7519
Tax Map: 8Z
Parcel: 516
Deed Ref: 9596/287
Lot: N/A
Zoning: COMM.
Lot Size: 31.158 AC.

AREA 1 SITE PLAN
SCALE - 1" = 40'

The Permit Coordinators, Inc.
8371 B & A Blvd.
Pasadena, MD 21122
(410) 315-7835
(410) 315-7832 Fax

PROPOSED:
To dredge.

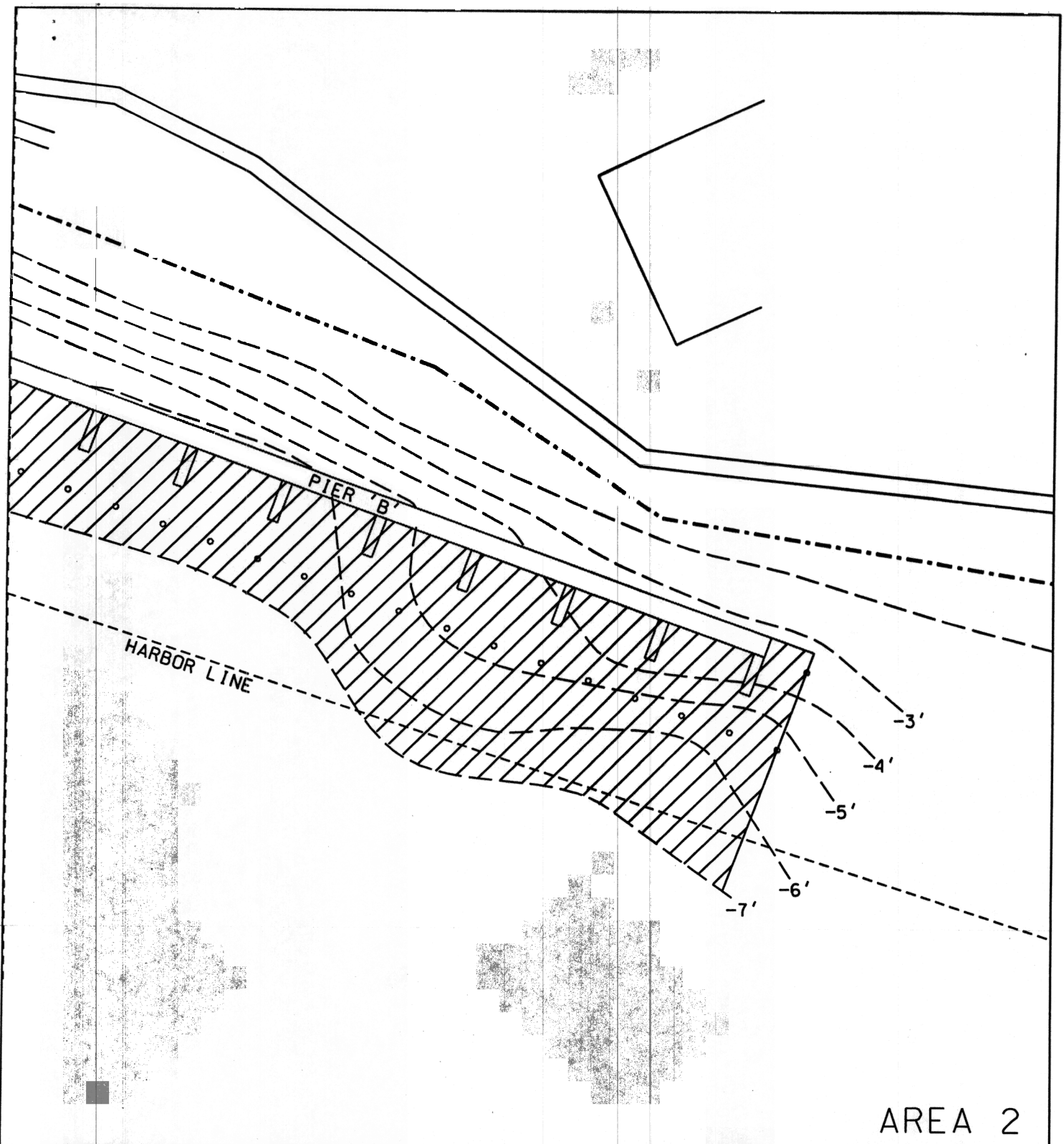
in: Back Creek State: Maryland
co: Anne Arundel at: Annapolis
Application by: Columbia Realty Venture, LLC
Sheet 2 of 15 Date: 8/20/2007

NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.

Applicant's Signature:

REVISED 12/6/2007

REVISED
2/7/08



AREA 2

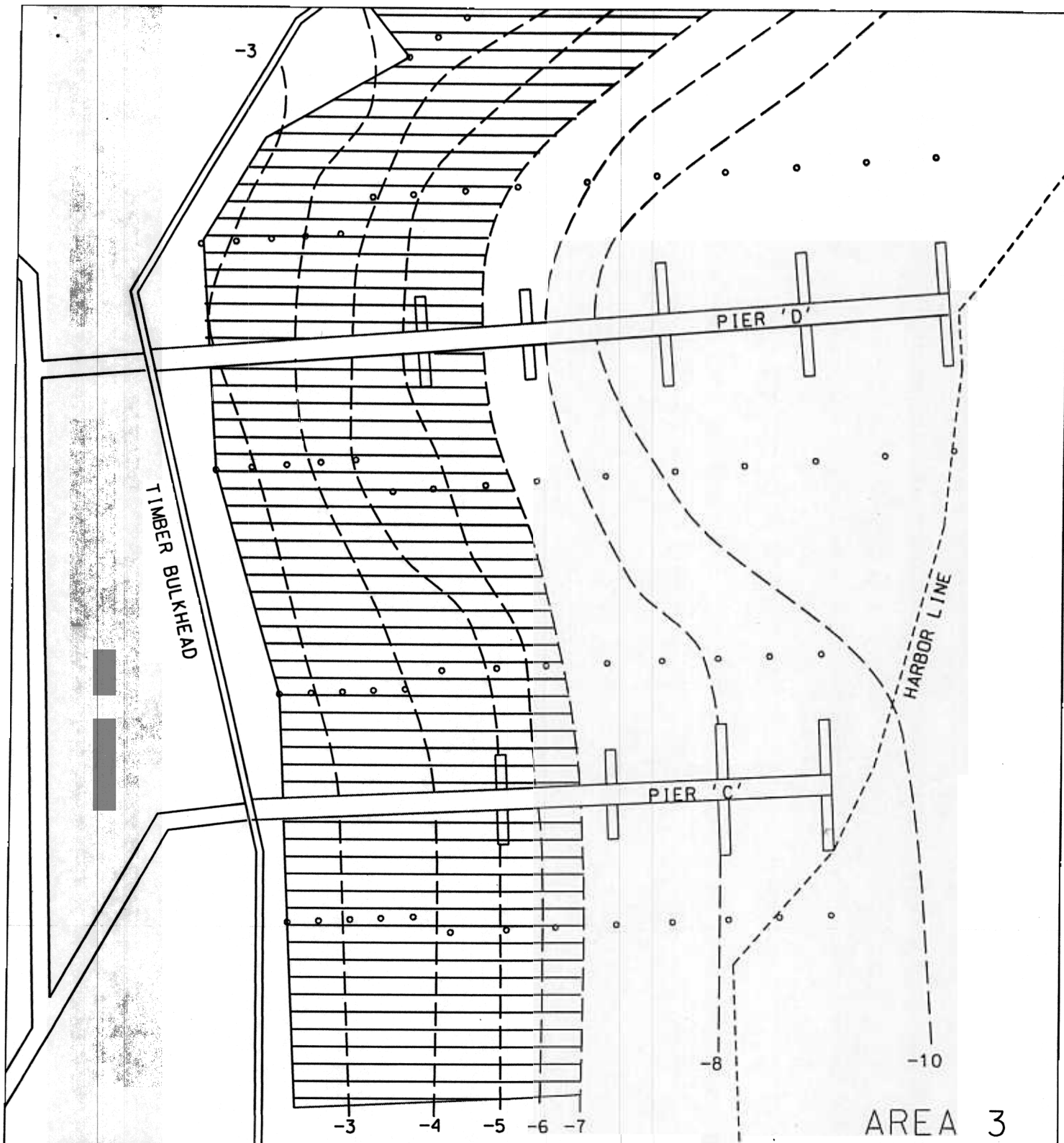
<p>Tax Account No.: 6000-0155-7519 Tax Map: 8Z Parcel: 516 Deed Ref: 9596/287 Lot: N/A Zoning: COMM. Lot Size: 31.158 AC.</p>	<p>AREA 2 SITE PLAN SCALE - 1" = 40'</p> <p>The Permit Coordinators, Inc. 8371 B & A Blvd. Pasadena, MD 21122 (410) 315-7835 (410) 315-7832 Fax</p>	<p>PROPOSED: To dredge.</p> <p>in: Back Creek State: Maryland co: Anne Arundel at: Annapolis Application by: Columbia Realty Venture, LLC Sheet 3 of 15 Date: 8/20/2007</p>
---	---	--

NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.

Applicant's Signature:

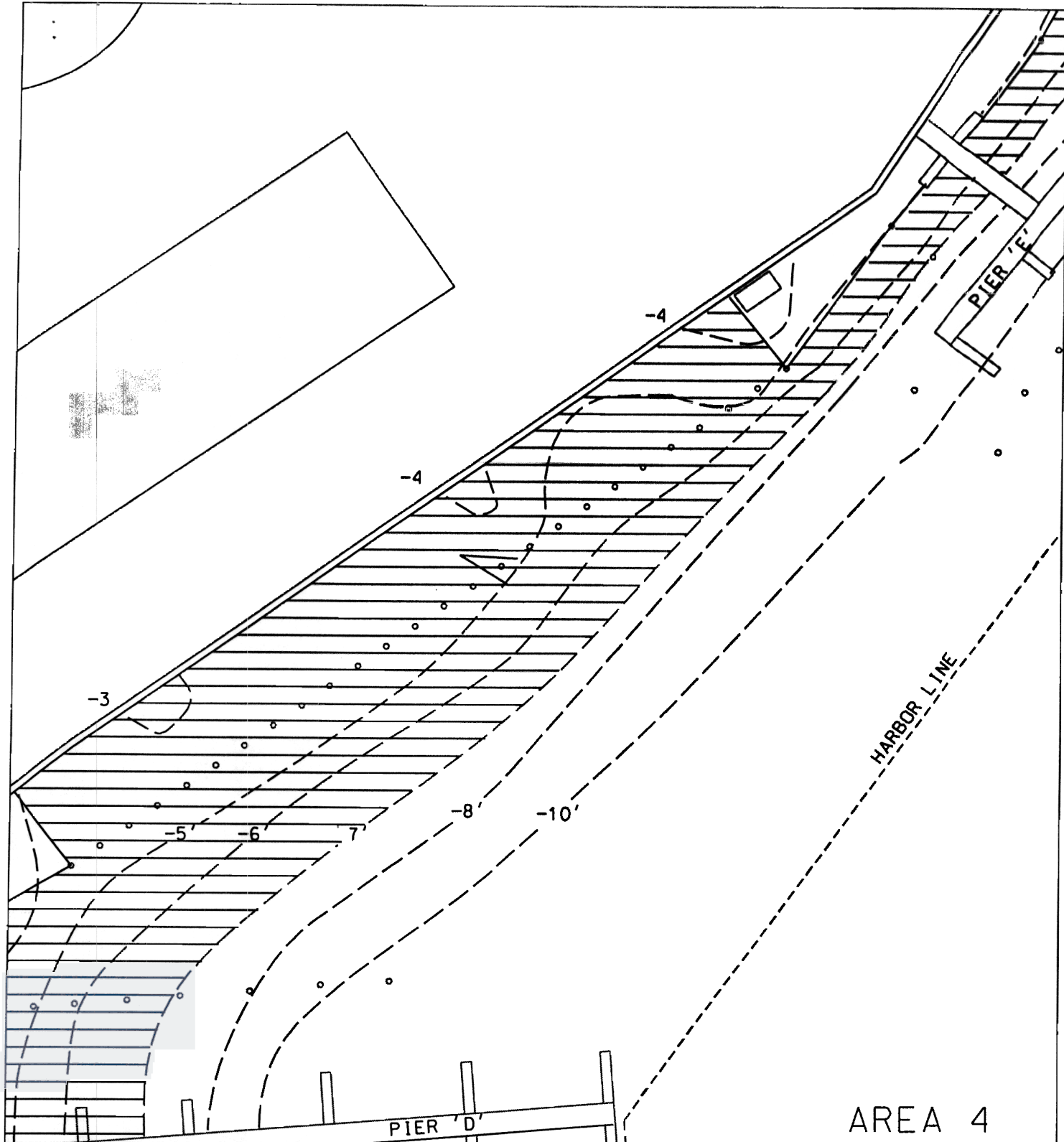
REVISED 12/6/2007

REVISED
2/7/08



<p>Tax Account No.: 6000-0155-7519 Tax Map: 8Z Parcel: 516 Deed Ref: 9596/287 Lot: N/A Zoning: COMM. Lot Size: 31.158 AC.</p>	<p>AREA 3 SITE PLAN SCALE - 1" = 40'</p> <p>The Permit Coordinators, Inc. 8371 B & A Blvd. Pasadena, MD 21122 (410) 315-7835 (410) 315-7832 Fax</p>	<p>PROPOSED: To dredge.</p> <p>in: Back Creek State: Maryland co: Anne Arundel at: Annapolis Application by: Columbia Realty Venture, LLC Sheet 4 of 15 Date: 8/20/2007</p>
<p>NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.</p>		
<p>Applicant's Signature:</p>		<p>REVISED 12/6/2007</p>

REVISED
2/7/08



Tax Account No.:
6000-0155-7519
Tax Map: 8Z
Parcel: 516
Deed Ref: 9596/287
Lot: N/A
Zoning: COMM.
Lot Size: 31.158 AC.

AREA 4 SITE PLAN
SCALE - 1" = 40'

The Permit Coordinators, Inc.
8371 B & A Blvd.
Pasadena, MD 21122
(410) 315-7835
(410) 315-7832 Fax

PROPOSED:
To dredge.

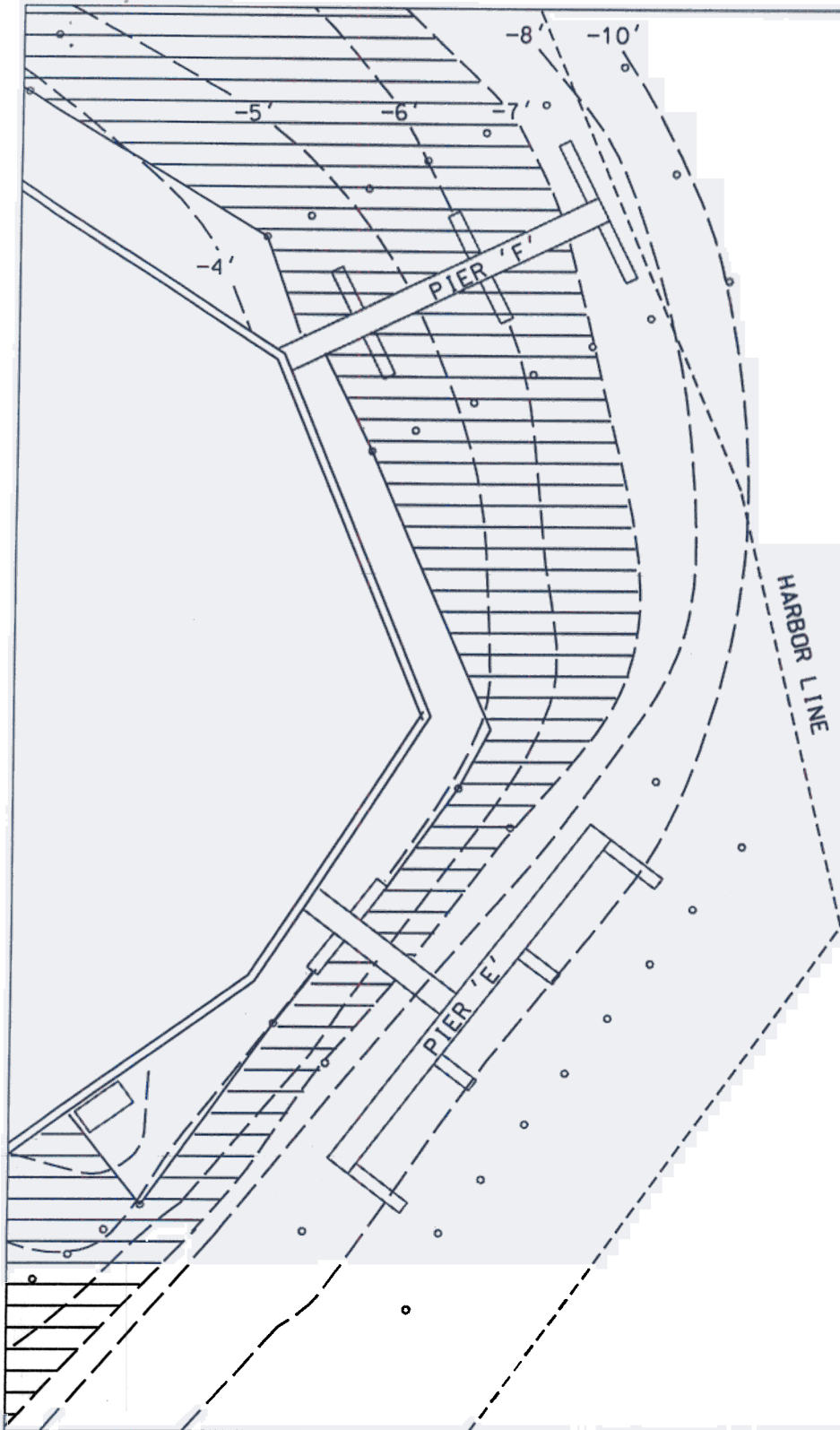
in: Back Creek State: Maryland
co: Anne Arundel at: Annapolis
Application by: Columbia Realty Venture, LLC
Sheet 5 of 15 Date: 8/20/2007

NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.

Applicant's Signature:

REVISED 12/6/2007

REVISED
2/7/08



AREA 5

Tax Account No.:
6000-0155-7519
Tax Map: 8Z
Parcel: 516
Deed Ref: 9596/287
Lot: N/A
Zoning: COMM.
Lot Size: 31.158 AC.

AREA 5 SITE PLAN
SCALE - 1" = 40'

The Permit Coordinators, Inc.
8371 B & A Blvd.
Pasadena, MD 21122
(410) 315-7835
(410) 315-7832 Fax

PROPOSED:
To dredge.

in: Back Creek State: Maryland
co: Anne Arundel at: Annapolis
Application by: Columbia Realty Venture, LLC
Sheet 6 of 15 Date: 8/20/2007

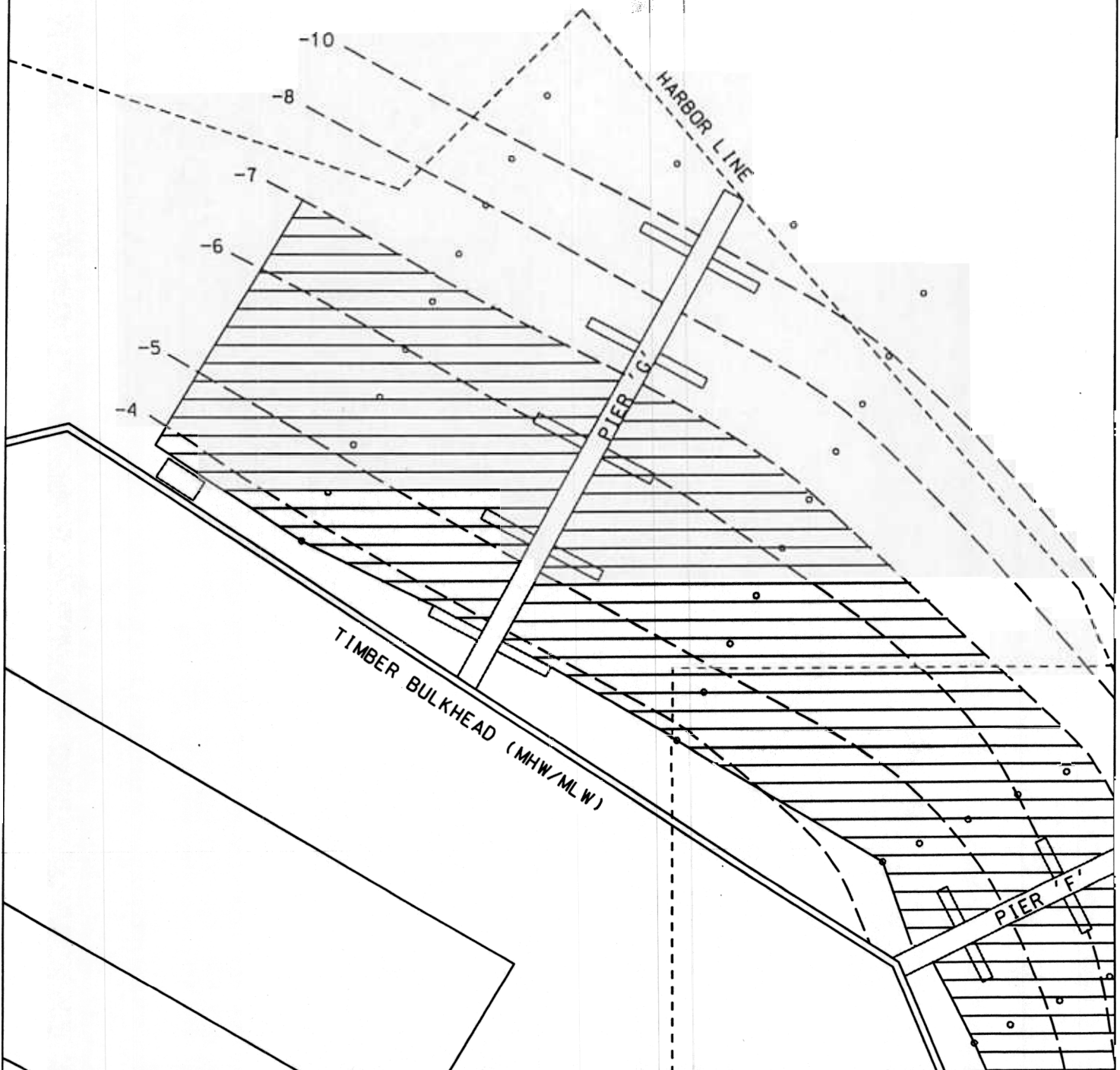
NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.

Applicant's Signature:

REVISED 12/6/2007

REVISED
2/7/08

AREA 6



Tax Account No.:
6000-0155-7519
Tax Map: 8Z
Parcel: 516
Deed Ref: 9596/287
Lot: N/A
Zoning: COMM.
Lot Size: 31.158 AC.

AREA 6 SITE PLAN SCALE - 1" = 40'

The Permit Coordinators, Inc.
8371 B & A Blvd.
Pasadena, MD 21122
(410) 315-7835
(410) 315-7832 Fax

PROPOSED:
To dredge.

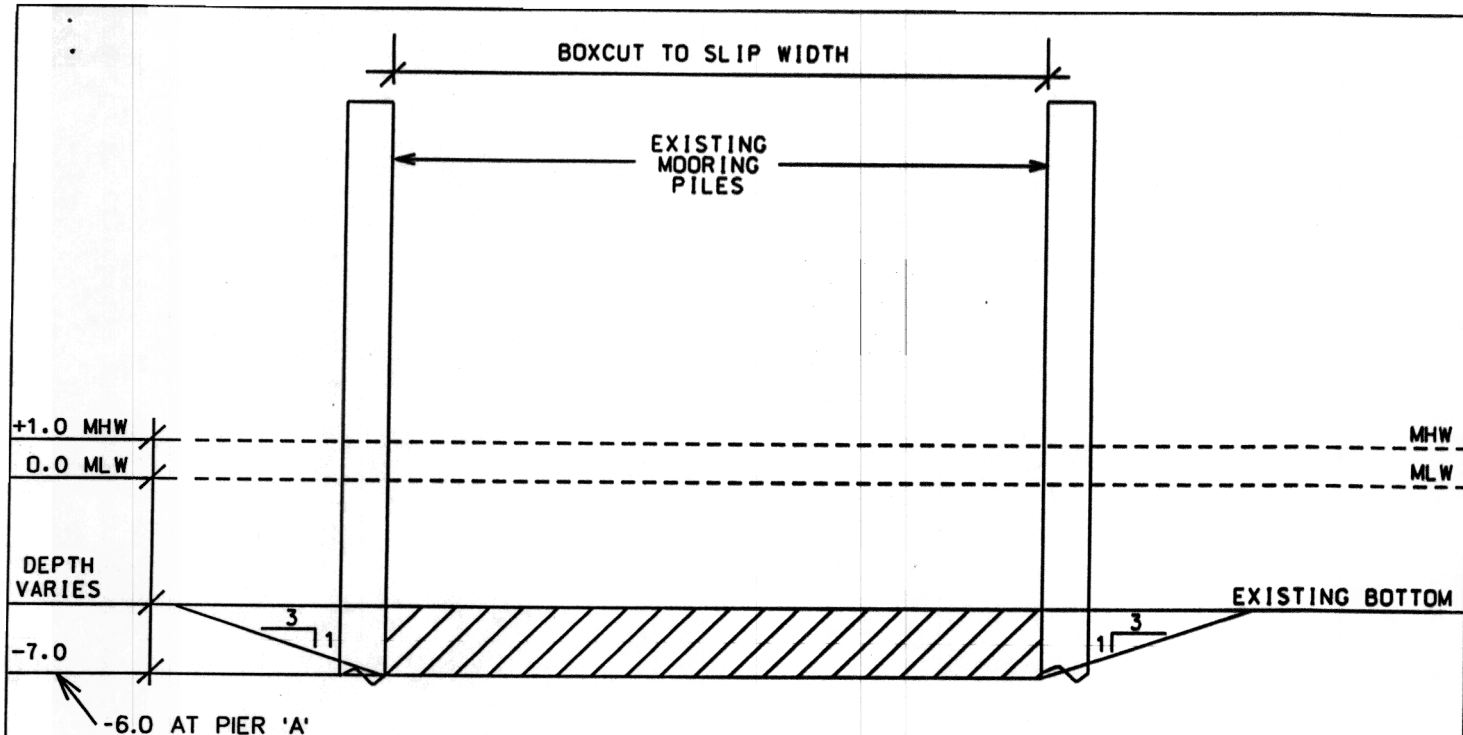
in: Back Creek State: Maryland
co: Anne Arundel at: Annapolis
Application by: Columbia Realty Venture, LLC
Sheet 7 of 15 Date: 8/20/2007

NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.

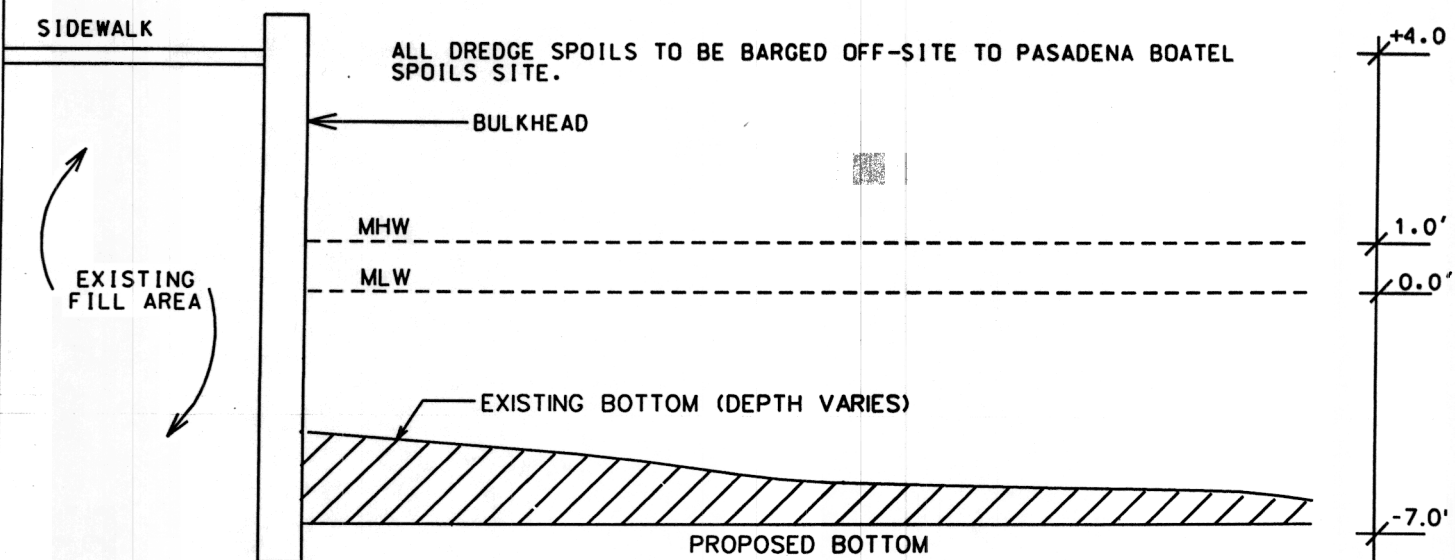
Applicant's Signature:

REVISED 12/6/2007

REVISED
2/7/08



TYPICAL DREDGE CROSS SECTION AT SLIPS
SCALE: NTS



TYPICAL DREDGE CROSS SECTION ALONG BULKHEAD
SCALE: NTS

Tax Account No.:
6000-0155-7519
Tax Map: 8Z
Parcel: 516
Deed Ref: 9596/287
Lot: N/A
Zoning: COMM.
Lot Size: 31.158 AC.

SPEC. SHEET
SCALE: AS NOTED

The Permit Coordinators, Inc.
8371 B & A Blvd.
Pasadena, MD 21122
(410) 315-7835
(410) 315-7832 Fax

PROPOSED:
To dredge.

in: Back Creek State: Maryland
co: Anne Arundel at: Annapolis
Application by: Columbia Realty Venture, LLC
Sheet 8 of 15 Date: 8/20/2007

NOTE: This drawing for permit purpose only. All dimensions are approximate and were provided by the applicant.

Applicant's Signature:

REVISED 12/6/2007

REVISED
2/7/08